

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

VICTOIRE VAN DER PAS,
Plaintiff

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v.

ASSURAVEST, LLC, HUGHES
PRIVATE CAPITAL, LLC,
GREG HUGHES, and STEVEN R.
SIXBERRY,
Defendants

Case No. 1:20-CV-235-SH

ORDER

Before the Court are Plaintiff's Motion for Partial Summary Judgment, filed April 23, 2021 (Dkt. 31), and Plaintiff's Motion to Dismiss Non-Contract Claims With Prejudice, filed October 14, 2021 (Dkt. 40).

The parties have entered into an agreement to settle this lawsuit. As part of their agreement, Plaintiff Victoire Van Der Pas agreed to dismiss her claims against Defendants Assuravest, LLC, Hughes Private Capital, LLC, Greg Hughes, and Steven R. Sixberry in two stages. In her Motion to Dismiss, Plaintiff requests that the Court dismiss her non-contract claims with prejudice. Defendants do not oppose the Motion.

Accordingly, Plaintiff's Motion to Dismiss Non-Contract Claims With Prejudice (Dkt. 40) is **GRANTED**. The Court **HEREBY DISMISSES WITH PREJUDICE** Plaintiff's claims of common-law fraud, statutory fraud, negligence, negligent misrepresentation, violations of the Texas Securities Act, violation of the Texas Deceptive Trade Practices Act, and Federal Securities Fraud.

Because Plaintiff's Motion for Partial Summary Judgment seeks judgment only on Plaintiff's claims under the Texas Securities Act and Texas Uniform Fraudulent Transfers Act, that Motion

is now moot. Accordingly, it is **FURTHER ORDERED** that Plaintiff's Motion for Partial Summary Judgment (Dkt. 31) is **DISMISSED AS MOOT**.

The deadline for the parties to file their joint motion to dismiss remains November 22, 2021.

Dkt. 39.

SIGNED on October 21, 2021.



SUSAN HIGHTOWER
UNITED STATES MAGISTRATE JUDGE